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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, )  
)  
)  
)  
v. )  
)  
REYNALDO PEDREGON, JR., )  
)  
Defendant. )  
\_\_\_\_\_ )

Nos. CR 10-00344 JF  
and CR 09-00586 JF  
[ordered related]

**STIPULATION TO CONTINUE  
STATUS HEARING FROM  
SEPTEMBER 23, 2010 TO  
OCTOBER 7, 2010, AND TO  
EXCLUDE TIME UNDER SPEEDY  
TRIAL ACT; [proposed] ORDER**

The parties agree to continue the status conference scheduled for September 23, 2010, at 9:00 a.m., to October 7, 2010, 9:00 a.m. or any later available date, so that defendant's counsel may be present and prepared for the status conference. The parties also agree to exclude time under the Speedy Trial Act from September 23 to October 7 for the reasons that follow. A proposed order follows.

The reason for the proposed continuance is that defendant's counsel, Assistant Federal Public Defender Manuel Araujo will be unavailable between now and at least September 27 due to health reasons.

In these related cases, defendant Pedregon is charged by indictment with possession with intent to distribute methamphetamine (CR 10-00344) and with violating the terms of his supervised release (CR 09-00586). There is no trial date set.

STIPULATION TO CONTINUE  
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The parties agree that denying the request to exclude time under the Speedy Trial Act would deny counsel for the defense the reasonable time necessary for effective preparation and continuity of counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). Furthermore, the parties agree that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

Respectfully submitted,

MELINDA HAAG  
United States Attorney,  
Northern District of California

Dated: September 17, 2010

/s/ Nat Cousins  
NATHANAEL M. COUSINS  
Assistant United States Attorney

**AGREED**

/s/ Nicholas Humy  
Supervisory Assistant Federal Public Defender  
on behalf of AFPD Manuel Araujo  
Counsel for Defendant

**[proposed] ORDER**

The Stipulation is GRANTED and this matter is continued from September 23 to October 7, 2010, at 9:00 a.m. The Court further orders time excluded under the Speedy Trial Act from September 23 to October 7 under 18 U.S.C. § 3161(h)(7)(B)(iv) on the basis that denying the request would deny counsel for the defense the reasonable time necessary for effective preparation and continuity of counsel, taking into account the exercise of due diligence. In addition, the Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

Dated: 9/20, 2010

  
HON. JEREMY FOGEL  
UNITED STATES DISTRICT COURT JUDGE